IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	)	
	)	
Mara Q. Devitt, et al.	)	
	)	Group Art Unit: 3627
Serial No.: 09/910,159	)	
	)	Examiner: Fischetti, Joseph A
Filed: July 20, 2001	)	
	)	Attorney Docket No: 005222.00131
For: Rule-Based On-Line Product Selection	)	
	)	Confirmation No.: 2587

BRIEF ON APPEAL

Mail Stop: Appeal Brief-Patents
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 41.37, Appellants submit this Appeal Brief to the Board of Patent Appeals and Interferences in response to the Final Office Action mailed on December 27, 2006. A Notice of Appeal was timely filed on April 24, 2007. Please charge any necessary fees in connection with this Appeal Brief to Deposit Account No. 19-0733.

I. Real Parties in Interest

The real party in interest is ACCENTURE GLOBAL SERVICES, GLMBH, the assignee of record.

II. Related Appeals and Interferences

There are no related appeals or interferences.

III. Status of the Claims

Claims 1-3 and 5-41 are pending and are found in the Appendix.

Claims 12-35 and 37-38 have been withdrawn.

Claims 1-3, 5-11, 36, 39, and 41 stand rejected.

No claims have been allowed.

Claims 1-3, 5-11, 36, and 39-41 are being appealed.

IV. Status of Amendments

No amendment after final rejection has been filed.

V. Summary of the Claimed Subject Matter

The present invention is directed to methods of identifying clothing combinations. The selected clothing combination is determined from attribute pairs. The following description summarizes the invention and is subsequently followed by the specific descriptions of the independent claim 1 (labeled as "**Description of Independent Claims**").

Figure 3 (as shown below) illustrates a method for assisting a user in selecting articles of clothing. First, in step 302, an article of clothing and a search request are identified. (Paragraph 36.) The article of clothing may be identified by selecting an item in a database, reading a tag embedded in the clothing, entering identifying information into a computer terminal or any other manner.

In step 304, a set of rules are identified. (Paragraph 39.) The set of rules may be identified by the user explicitly identifying the rules or may be inferred from the information provided by the user. In one embodiment, the user may provide: the user's identification, an identification of clothing or clothing attributes, and the type of search request. Inference engine server 202 (as referenced in Figure 2, shown below) may use this information to retrieve a set of rules and the order of the rules. Alternatively, the set of rules may be identified by identifying the user and associating the user with a set of rules. The set of rules may be used to select clothing based on: one or more attributes of the clothing, one or more attributes of the user and/or one or more attributes of the situation in which the clothing will be worn.

In step 306, the user transmits the identification of a first article of clothing and a set of rules to the rules engine. (Paragraph 52.) The identification may include a product identification number, one or more attributes, a user identification and the type of search. In an alternative

embodiment, the user may transmit the identification of an article of clothing and one or more rules to the rules engine. In step 308, the user receives an identification of a second article of clothing that satisfies the set of rules. Of course, the user may receive the identification of several articles of clothing that form a coordinated outfit. The identification may be in the form of an image of the second article of clothing, an image of the first and second articles of clothing, a product number or any other identifying information.

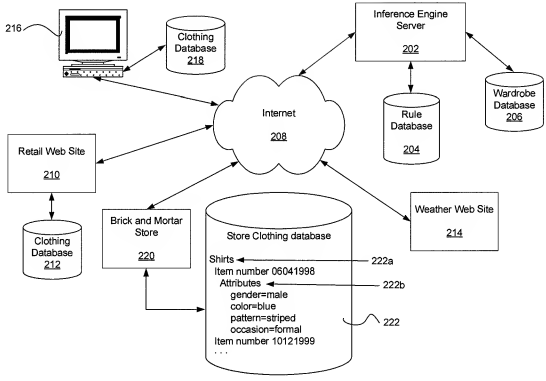
216
Clothing Database 218
Inference Engine Server 202
Wardrobe Database 206
Rule Database 204
Internet 208
Retail Web Site 210
Clothing Database 212
Brick and Mortar Store 220
Store Clothing database
Shirts
Item number 06041998
Attributes
gender=male
color=blue
pattern=striped
occasion=formal
Item number 10121999
222a
222b
222
Weather Web Site 214

Figure 2

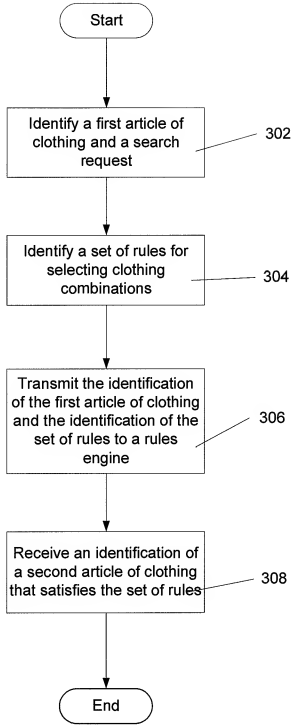
Start
Identify a first article of clothing and a search request
302
Identify a set of rules for selecting clothing combinations
304
Transmit the identification of the first article of clothing and the identification of the set of rules to a rules engine
306
Receive an identification of a second article of clothing that satisfies the set of rules
308
End

Figure 3

The following category rules may be used to match different articles of clothing and accessories. A value of "1" corresponds to the items forming a strong match, while "2" corresponds to the items sometimes forming a match and "3" corresponds to the items never forming a match. (Paragraph 49.)

	Sweaters	Casual Tops	Blouses	Dress Pants	Blazers	Skirts	Casual Pants	Outerwear	Suits	Dresses	Shoes	Accessories
Sweaters	2	2	2	1	1	1	1	1	1	2	1	1
Casual Tops	2	1	3	3	3	1	1	1	3	2	1	1
Blouses & Shirts	2	3	3	1	1	1	2	1	1	3	1	1
Dress Pants	1	3	1	3	1	3	3	1	3	3	1	1
Blazers	1	3	1	1	3	1	2	1	3	3	1	1
Skirts	1	1	1	3	1	3	3	1	3	3	1	1
Casual Pants	1	1	2	3	2	3	3	1	3	3	1	1
Outerwear	1	1	1	1	1	1	1	3	1	1	1	1
Suits	1	3	1	3	3	3	3	1	3	3	1	1
Dresses	2	2	3	3	3	3	3	1	3	3	1	1
Shoes	1	1	1	1	1	1	1	1	1	1	3	1
Accessories	1	1	1	1	1	1	1	1	1	1	1	1

Inference engine server 202 may apply the following body type rules (as shown below) based on the body type attribute provided by the user. A value of "1" corresponds to the items strongly matching the body type, while "2" corresponds to the items sometimes matching the body type and "3" corresponds to the items never matching the body type. (Paragraph 50.)

Pants **(1) Looks best if medium to tall**

(2) Looks best with a long top

	Pear	Triangle	Round	Hourglass	Inverted Triangle	Rectangle
Slim	1	3	2(2)	1	1	2(2)
Baggy	2(1)	3	2(1)	2(1)	2(1)	2(1)
Straight	3	3	2(2)	3	1	1
Bootleg	3	3	3	2(1)	2(1)	3
Tapered	1	1	2(2)	1	3	2(2)
Bellbottom	3	3	3	2(1)	2(1)	3

Figure 4 (as shown below) illustrates a web page that may be used as an interface for identifying clothing and a search request. (Paragraph 37.) The item may be identified by entering a product number 402. A list of potential attributes for the identified product is shown in an attributes section 404. However, any attributes can be used. The attributes shown in Figure 4, as well as additional attributes will be described in detail below. The user may select a Match It button 406 to find another article of clothing with common attributes of gender, occasion, style and body type and a different attribute of category. For example, the user may desire to find pants that match the identified shirt. A Find Similar button 408 may be selected to locate clothing with common attributes of gender, occasion and style. This option may be used when shopping to determine if the user already owns a similar article of clothing. A Wardrobe Search button 410 may be selected to locate clothing that meets required criteria. A user may use this option to confirm that they own a particular article of clothing. For example, the user may identify a shirt in brick and mortar store 220 (as previously shown in Figure 2) and search their wardrobe to determine if they own a similar shirt.

A search section 412 allows the user to search their existing wardrobe, new clothing or both. (Paragraph 38.) A user may desire to search his or her existing wardrobe when selecting

clothes to wear in the near future. The new clothing option may be selected when the user desires to search web sites selling clothing. In one embodiment of the invention, the user identifies web sites to search when the new clothing option is selected.

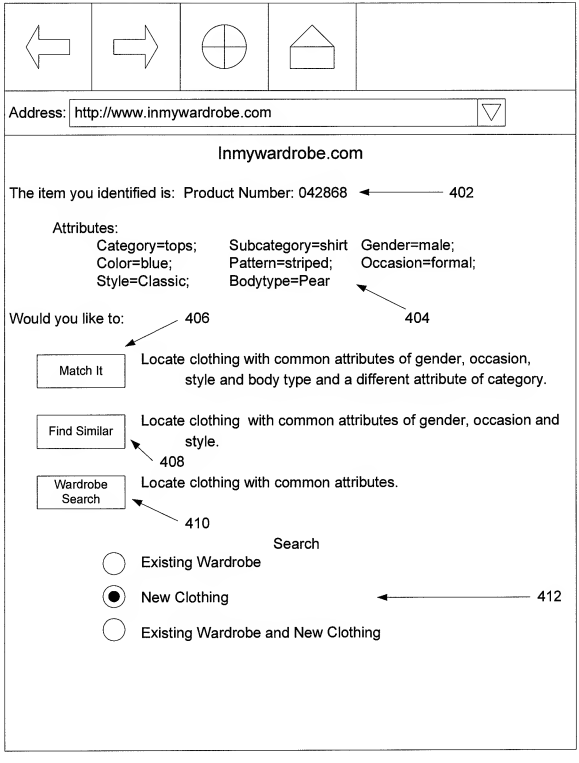
Address: http://www.inmywardrobe.com
Inmywardrobe.com
The item you identified is: Product Number: 042868
402
Attributes:
Category=tops; Subcategory=shirt Gender=male;
Color=blue; Pattern=striped; Occasion=formal;
Style=Classic; Bodytype=Pear
404
Would you like to:
406
Match It
Locate clothing with common attributes of gender, occasion, style and body type and a different attribute of category.
Find Similar
Locate clothing with common attributes of gender, occasion and style.
408
Wardrobe Search
Locate clothing with common attributes.
410
Search
Existing Wardrobe
New Clothing
412
Existing Wardrobe and New Clothing

Figure 4

Description of Independent Claims

Independent claim 1 is directed to the method of identifying clothing combinations. (Step 302, Figure 3; Paragraph 36.) The first article of clothing and the search request are identified by reading the tag embedded in the material of the first article of clothing. (Paragraph 36.) The set of rules is identified for selecting clothing combinations. (Step 304, Figure 3; Paragraph 39.) The first article identification of the first article of clothing that is associated with the corresponding clothing category, the search request, and the identifier that identifies the set of rules is transmitted. (Step 306, Figure 3; Paragraph 52.) Subsequently, the second article identification of the second article of clothing that satisfies the set of rules and that has the largest level of category matching for all category attribute pairs related to the corresponding clothing category is received. (Step 308, Figure 3; Paragraph 52.) The set of rules provides the associated level of matching for each category attribute pair, where the second article of clothing is associated with a different clothing category than the corresponding clothing category. (Paragraph 49.) The selected identification of the selected clothing combination is obtained by comparing other attribute pairs that are related to the second article of clothing and that relate the first attribute and the second attribute, in which each other attribute pair has an associated degree of matching. (Paragraph 50.) The selected clothing combination has the largest degree of matching of all other attribute pairs.

VI. Grounds of Rejection to be Reviewed on Appeal

Claims 1-3, 5-11, 36, and 39 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-3, 5, 6, 9, 10, 11, 39, and 41 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over US 5,930,769 (Rose) in view of US 5,785,181 (Quartararo) and US 6,801,223 (Abbott).

Claims 1-3, 5-11, 36, 39, and 41 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over US 6,313,745 (Suzuki) in view of Quartararo and Abbott.

VII. Argument

A. Claims 1-3, 5-11, 36, and 39 are definite because an antecedent basis is provided.

Regarding the rejection under §112, the Office Action alleges that there is no antecedent basis for "all category attribute pairs" in line 3 of part (d) in Claim 1. This is the first use of the recitation for "all category attribute pairs", and is definite. This also provides antecedent bases for "each said category attribute pair", recited afterwards.

Claims 1-3, 5-11, 36, and 39 are definite. Thus, the rejections of claims 1-3, 5-11, 36, and 39 under 35 U.S.C. 112, second paragraph should be reversed.

B. Claims 1-3, 5, 6, 9, 10, 11, 39, and 41 are patentable because the combination of Rose, Quartararo, and Abbott fails to even suggest every feature.

The combination of Rose, Quartararo, and Abbott fails to suggest the features of "(d) receiving a second article identification of a second article of clothing that satisfies the set of rules and that has a largest level of category matching for all category attribute pairs related to the corresponding clothing category, the set of rules providing an associated level of matching for each said category attribute pair, the second article of clothing being associated with a different clothing category than the corresponding clothing category" and "(e) obtaining a selected identification of a selected clothing combination by comparing other attribute pairs that are related to the second article of clothing and that relate a first attribute and a second attribute, each said other attribute pair having an associated degree of matching, the selected clothing combination having a largest degree of matching of all said other attribute pairs."

An obviousness rejection under 35 U.S.C. § 103 is appropriate only when the differences between the claimed invention and the prior art "are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art." *In re Dembiczak*, 175 F.3d 994, 50 U.S.P.Q.2d 1614, 1616 (Fed. Cir. 1999); 35 U.S.C. § 103(a) (1999). The ultimate determination of whether an invention would have been obvious is a legal conclusion based on underlying factual inquiries including: (1) the scope and content of the prior art; (2) the level of ordinary skill in the prior art; (3) the differences between the claimed invention and the prior art; and (4) any objective evidence of non-obviousness. *Graham v. John Deere Co.*, 383 U.S. 1, 17-18, 148 U.S.P.Q. 459, 467 (1966). An obviousness rejection must include some articulated reasoning that makes logical sense. *KSR Int'l Co. v. Teleflex, Inc.*, 127 S.Ct. 1727,1741 (2007). ("To facilitate review, this analysis should be made explicit. See *In re Kahn,* 441 F.3d 977, 988 (C.A.Fed.2006) ("[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness").").

Regarding claim 1, the Office Action alleges (Page 3.):

> Regarding the newly presented limitations of claim 1 (d), generally speaking it is noted as inherent that the attribute pair in Rose is read as the pair of selecting a clothing item and body type see col. 8 lines 48 et seq. which produces the largest matching as defined by the system parameters, e.g., receiving an identification of a second article of clothing that satisfies the set of rules (see cols 9 and 10 under Do's to wear). Notwithstanding, Abbott et al. discloses a mediator functions, cols. 5-6 using a consume attribute function that consumes attributes from all registered attributes thereby providing the largest level of category matching for all category attribute pairs related to the corresponding item. It would be obvious to modify the method of Rose to include the mediator function of Abbott et al. the motivation being the widest sample of possibilities and use this between the two different items which Rose matches would be obvious.

As a first matter, this explanation fails to show how the either Abbott, Rose, or Quartararo disclose or suggest all the features recited in part (d) of Claim 1. For example, no explanation is given for which reference might suggest *inter alia*, "receiving a second article identification of a second article of clothing"; or that it "satisfies the set of rules and that has a largest level of category matching for all category attribute pairs related to the corresponding clothing category". The explanation fails to show how any of the references, either alone or combined, disclose or suggest each and every feature as claimed by Claim 1.

Next, the statement that "it is noted as inherent that the attribute pair in Rose is read as the pair of selecting a clothing item and body type ... which produces the largest matching as defined by the system parameters, e.g., receiving an identification of a second article of clothing that satisfies the set of rules", is completely unsupported. Rose at the cited section (col. 8 line 48 through Col. 10) makes no disclosure or suggestion of producing a largest level of category matchings. Rose simple discloses a set of fashion suggestions, but includes no disclosure about working to maximize category matchings. This statement is entirely conclusory without any support.

Further, referring to the mediator function, Abbott discloses (Column 5, lines 15-33. Emphasis added.):

> In some embodiments, two or more different context servers may supply to the characterization module their own distinct values for a **single attribute**. For example, a first context server can supply a value for a user location attribute based on data received from a global positioning system device, while a second context server can supply a value for the user location attribute based on data received from an indoor positioning device. Alternately, the first and second context servers could use the same input information when determining the value for a single attribute, but could use different methods to perform the determining and could thus arrive at different values. **When multiple content servers supply values for the same attribute, each of the context servers is said to supply values for a separate "instance" of the attribute. The characterization**

> **module preferably provides a variety of different approaches, called "mediators," for determining what attribute value to provide when a context client requests a value for an attribute that has more than one instance.**

Abbott merely discloses the selection of one of a plurality of values that are assigned to a single attribute, but fails to even suggest matching pairs of attributes (i.e., at least two attributes). For example, as taught by Abbott, an attribute (e.g., an ambient temperature) may be assigned different values that are measured at different times and that have different levels of uncertainty. The mediation function (as performed by the characterization module) selects the most probable value of the associated attribute. While Abbott may disclose determining a value associated with a single attribute, Abbott fails to suggest anything about determining a level of matching for an attribute pair.

Finally, the Office Action statement that "It would be obvious to modify the method of Rose to include the mediator function of Abbott et al. the motivation being the widest sample of possibilities and use this between the two different items which Rose matches would be obvious [sic]", is entirely conclusory. Neither Rose nor Abbott provide any motivation for providing a largest level of category matches. Therefore there is no motivation to combine these references.

Accordingly, none of the cited references, either alone or combined, teach or suggest all the features recited in part (d) of Claim 1.

With regard to part (e) of Claim 1, the Office Action further alleges (Page 3.):

> Regarding the step set forth in section (e), Rose does disclose matching attributes as between two items matched, e.g. male clothing which as the common attribute of gender, shirt and jacket second item of clothing.

No section of Rose is identified to support this assertion, and it appears to be unsupported.

Further, Rose fails to even suggest the feature of "obtaining a selected identification of a selected clothing combination by **comparing other attribute pairs that are related to the second article of clothing** and that relate a first attribute and a second attribute, each said other attribute pair having an associated degree of matching, the selected clothing combination having a largest degree of matching of all said other attribute pairs." (Emphasis added.) Rose merely outputs suggested fashion shapes (e.g., as shown in Fig. 5) based on the user's unique body type (an attribute of the user). However, Rose fails to compare attribute pairs that are related to clothing. Quartararo and Abbott fail to remedy the deficiencies of Rose.

Accordingly, none of the cited references, either alone or combined, teach or suggest all the features recited in part (e) of Claim 1.

Therefore, Claims 1-3, 5, 6, 9, 10, 11, 39, and 41 are patentable over the combination of Rose, Quartararo, and Abbott. Thus, the rejections of Claims 1-3, 5, 6, 9, 10, 11, and 39 under 35 U.S.C. 103(a) should be reversed.

C. Claims 1-3, 5-11, 36, 39, and 41 are patentable because the combination of Suzuki, Quartararo, and Abbott fails to even suggest every feature.

The Office Action on page 5 then makes a similar rejection of the claims under 35 U.S.C. 103(a), this time based on Suzuki, Quartararo, and Abbott. However the combination of Suzuki, Quartararo, and Abbott fails to teach or suggest the features of "receiving a second article identification of a second article of clothing that satisfies the set of rules and that has a largest level of category matching for all category attribute pairs related to the corresponding clothing category, the set of rules providing an associated level of matching for each said category attribute pair, the second article of clothing being associated with a different clothing category than the corresponding clothing category" and "obtaining a selected identification of a selected

clothing combination by comparing other attribute pairs that are related to the second article of clothing and that relate a first attribute and a second attribute, each said other attribute pair having an associated degree of matching, the selected clothing combination having a largest degree of matching of all said other attribute pairs."

The Office Action alleges that (Page 5-6.):

> Regarding the newly presented limitations of claim 1 (d), generally speaking it is noted as inherent that the attribute pair in Suzuki is read as the pair which produces the largest total matching as defined by the system parameters, e.g., receiving an identification of a second article of clothing that satisfies the set of rules. Notwithstanding, Abbott et al. discloses a mediator functions, cols. 5-6 using a consume attribute function that consumes attributes from all registered attributes thereby providing the largest level of category matching for all category attribute pairs related to the corresponding item. It would be obvious to modify the method of Suzuki to include the mediator function of Suzuki (sic, Abbott et al.) the motivation being the widest sample of possibilities and use this between the two different items which Suzuki matches would be obvious.

This statement is almost verbatim to the previous statement with respect to Rose et al. (listed above). However here no section of Suzuki is cited to even support this assertion. This does not rise to the level of a clear designation what part of the reference is being relied on. See *37 CFR 1.104(c)(2)*.

Further, the combined teachings of Suzuki, Quartararo, and Abbott do not even suggest the feature of "receiving a second article identification of a second article of clothing that satisfies the set of rules and that has a largest level of category matching for all category attribute pairs related to the corresponding clothing category, the set of rules providing an associated level of matching for each said category attribute pair, the second article of clothing being associated with a different clothing category than the corresponding clothing category."

Referring to the mediator function, Abbott discloses (Column 5, lines 15-33. Emphasis added.):

> In some embodiments, two or more different context servers may supply to the characterization module their own distinct values for a **single attribute**. For example, a first context server can supply a value for a user location attribute based on data received from a global positioning system device, while a second context server can supply a value for the user location attribute based on data received from an indoor positioning device. Alternately, the first and second context servers could use the same input information when determining the value for a single attribute, but could use different methods to perform the determining and could thus arrive at different values. **When multiple content servers supply values for the same attribute, each of the context servers is said to supply values for a separate "instance" of the attribute. The characterization module preferably provides a variety of different approaches, called "mediators," for determining what attribute value to provide when a context client requests a value for an attribute that has more than one instance**.

Abbott merely discloses the selection of one of a plurality of values that are assigned to a single attribute but fails to even suggest matching pairs of attributes (i.e., at least two attributes). For example, as taught by Abbott, an attribute (e.g., an ambient temperature) may be assigned different values that are measured at different times and that have different levels of uncertainty. The mediation function (as performed by the characterization module) selects the most probable value of the associated attribute. While Abbott may disclose determining a value associated with a single attribute, Abbott fails to suggest any thing about determining a level of matching for an attribute pair.

The Office Action further alleges that (Page 6.):

> Regarding the step set forth in section (e), Suzuki does disclose matching attributes between two items matched, e.g., male clothing which has the common attribute of gender, shirt, and jacket second item of clothing.

Again, no section of Suzuki is cited to support this assertion. Further, Suzuki fails to even suggest the feature of "obtaining a selected identification of a selected clothing combination by comparing other attribute pairs that are related to the second article of clothing and that relate a first attribute and a second attribute, each said other attribute pair having an associated degree of matching, the selected clothing combination having a **largest degree of matching** of all said

other attribute pairs." (Emphasis added.) Suzuki merely discloses a selection of similar items (e.g., similar items 54 as determined by similarity analysis module 42 shown in fig. 5) that may be recommended to a customer by a store clerk but fails to even suggest selecting an article of clothing based on a largest degree of matching. Quartararo and Abbott fail to remedy the deficiencies of Suzuki.

Accordingly, none of the cited references, either alone or combined, teach or suggest all the features recited in part (e) of Claim 1.

Therefore Claims 1-3, 5-11, 36, 39, and 41 are patentable over the combination of Suzuki, Quartararo, and Abbott; and the rejections of Claims 1-3, 5-11, 36, 39, and 41 under 35 U.S.C. 103(a) should be reversed.

D. Claim 40 is allowable because no rejection of the claim has been provided.

The Office Action does not provide any indication about the disposition of Claim 40 and fails to provide any discussion of any rejections of the additional features of the claim.

Since Claim 40 depends from allowable Claim 1, Claim 40 is in condition of allowance.

E. Claim 36 is patentable because the combination of Suzuki, Quartararo, and Abbott fails to even suggest every feature.

Claim 36 is further patentable because the combination of Suzuki, Quartararo, and Abbott fails to suggest the features of "editing the set of rules based on an input from a user."

The Office Action alleges (Page 7):

> Re claim 36: the trial history 70 in Suzuki is read as an editing the set of rules as the trial history is updated by different clothing and hence the rules are changed by new habits.

Suzuki discloses (Column 8, lines 36-57.):

> In addition to the foregoing, each customer record 60 includes an information storage area containing the customer's purchase and trial history 70. As a customer takes an item into a fitting room to try-on, the system updates the purchase and trial history 70 area to reflect that the item was taken into the fitting room. The system also records the purchase of the item if this occurs. FIG. 9 is a schematic layout diagram of a customer's purchase and trial history 70 data. A date and time field 72 indicates the date and time in which the customer visited the store and tried-on one or more items from the store. A fitting room number field 74 indicates the fitting room number utilized by the customer to try-on the items. A store clerk ID field 76 indicates the employee ID of the store clerk assisting the customer which is retrieved from the employee's ID card or tag 25 (FIG. 1). A product ID field 78 indicates the product IDs of an item the customer carried into the fitting for trying-on, and whether the product was purchased by the customer. A person skilled in the art should recognize that other information might be maintained in the information storage area. For instance, brand, style, and color information might also be associated with each product ID.

Suzuki merely discloses data record 70 that stores information about a customer's purchase including the store clerk identification 76, fitting room number 74, and product identifications 78 of items carried into the fitting room. However, Suzuki fails to even suggest editing the set of rules (e.g., that provide a level of matching).

Accordingly, Claim 36 is patentable over the combination of Suzuki, Quartararo, and Abbott. Thus, the rejections of Claim 36 under 35 U.S.C. 103(a) should be reversed.

Conclusion

The rejections of Claims 1-3, 5-11, 36, 39, and 41 contained in the Final Office Action of December 27, 2006 should be reversed for at least the reasons recited above. Reversal of each rejection is requested. Also, Claim 40 should be allowed because no rejection has been provided.

Respectfully Submitted,

Banner & Witcoff, LTD

Date: September 12, 2007

By: _____

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CLAIMS APPENDIX

1. A method of identifying clothing combinations, the method comprising:

(a) identifying a first article of clothing and a search request by reading a tag embedded in a material of the first article of clothing;

(b) identifying a set of rules for selecting clothing combinations;

(c) transmitting a first article identification of the first article of clothing that is associated with a corresponding clothing category, the search request and an identifier that identifies the set of rules to a rules engine, wherein the identifier identifies one of a plurality of rule sets;

(d) receiving a second article identification of a second article of clothing that satisfies the set of rules and that has a largest level of category matching for all category attribute pairs related to the corresponding clothing category, the set of rules providing an associated level of matching for each said category attribute pair, the second article of clothing being associated with a different clothing category than the corresponding clothing category; and

(e) obtaining a selected identification of a selected clothing combination by comparing other attribute pairs that are related to the second article of clothing and that relate a first attribute and a second attribute, each said other attribute pair having an associated degree of matching, the selected clothing combination having a largest degree of matching of all said other attribute pairs.

2. The method of claim 1, wherein the set of rules includes rules for permissible color combinations.

3. The method of claim 1, wherein the set of rules include rules for permissible pattern combinations.

4. (Cancelled)

5. The method of claim 1, wherein (a) comprises selecting the first article of clothing from a selection of clothing in a brick and mortar store.

6. The method of claim 1, wherein (a) comprises selecting the first article of clothing from a selection of clothing offered for sale by a web site.

7. The method of claim 1, wherein the first and second articles of clothing are owned by the same person.

8. The method of claim 1, wherein the first article of clothing is part of a user's current wardrobe and the second article of clothing is not part of the user's current wardrobe.

9. The method of claim 1, wherein the first article of clothing is not owned by a user.

10. The method of claim 1, wherein (b) comprises identifying an owner of the first article of clothing and associating the owner with the set of rules.

11. The method of claim 1, further including:

(e) receiving the identification of a third article of clothing that satisfies the search request.

12. **(Withdrawn)** A method of selecting clothing combinations, the method comprising the steps of:

(a) receiving a query including characteristics of a first article of clothing, the identification of a user and a search request;

(b) accessing a set of rules associated with the user and for determining permissible clothing combinations;

(c) utilizing the rules and the characteristics of the first article of clothing to identify a second article of clothing that forms an appropriate clothing combination with the first article of clothing; and

(d) transmitting an identification of the second article of clothing.

13. **(Withdrawn)** The method of claim 12, wherein the rules comprise:

a rule requiring the first and second articles of clothing to be the same style.

14. **(Withdrawn)** The method of claim 12, wherein the rules comprise:

a rule requiring the first and second articles of clothing to be the trendiness level.

15. **(Withdrawn)** The method of claim 12, wherein the rules comprise:

a rule requiring the first and second articles of clothing to be the same formality level.

16. **(Withdrawn)** The method of claim 12, wherein the rules comprise:

a rule requiring the first and second articles of clothing to have coordinated patterns.

17. **(Withdrawn)** The method of claim 12, wherein the rules comprise:

a rule requiring the first and second articles of clothing to have coordinated colors.

18. **(Withdrawn)** The method of claim 12, wherein the rules comprise:

a rule requiring the first and second articles of clothing to be made of coordinated materials.

19. **(Withdrawn)** The method of claim 12, further including the step of:

displaying on a display device images of the first and second articles of clothing.

20. **(Withdrawn)** The method of step 12, further including the step of:

determining an order to utilize while applying the rules.

21. **(Withdrawn)** The method of claim 12, further including the steps of:

utilizing the rules and the characteristics of the first article of clothing to identify a third article of clothing that forms an appropriate clothing combination with the first article of clothing; and

(d) transmitting to a display device an identification of the third article of clothing.

22. **(Withdrawn)** A method of selecting clothing that may be of interest to a user, the method comprising the steps of:

(a) receiving from an input device a query including the identification of a user and a search request;

(b) accessing a set of rules associated with the user and for determining desirable clothing combinations;

(c) utilizing the rules and the search request to identify an appropriate clothing combination; and

(d) transmitting to a display device an identification of clothing combination.

23. **(Withdrawn)** The method of claim 22, wherein the rules require elements comprising the clothing combination to be intended for the same gender.

24. **(Withdrawn)** The method of claim 22, wherein the rules require elements comprising the clothing combination to be intended for the same occasion.

25. **(Withdrawn)** The method of claim 22, wherein the rules require elements comprising the clothing combination to be of the same style.

26. **(Withdrawn)** The method of claim 22, wherein the rules require elements comprising the clothing combination to be intended for the same body type.

27. **(Withdrawn)** The method of claim 22, wherein the search request includes the identification of an occasion that the user desires to wear a clothing combination and the rules include a rule for determining how appropriate it is to wear a clothing combination to the occasion, and

the utilizing step comprises the steps of:

accessing clothing attributes for a collection of clothing;

ranking clothing combinations based on how well each clothing combination satisfies the rules.

28. **(Withdrawn)** The method of claim 22, further including the step of displaying on a display device images of the clothing combination.

29. **(Withdrawn)** A method of selecting clothing that may be of interest to a user, the method comprising the steps of:

(a) receiving clothing attributes for a clothing combination selected by a user;

(b) generating a rule for the selection of additional clothing combinations based on the attributes of the clothing combination selected by the user;

(c) receiving from an input device a query including the identification of a user and a search request;

(d) accessing a set of rules associated with the user and that includes the generated rule;

(e) utilizing the set of rules and the search request to identify an appropriate clothing combination; and

(f) transmitting to a display device an identification of clothing combination.

30. **(Withdrawn)** The method of claim 29, wherein the clothing combination selected by the user is a combination the user approves of.

31. **(Withdrawn)** The method of claim 29, wherein the clothing combination selected by the user is a combination the user does not approve of.

32. **(Withdrawn)** The method of claim 31, further including the step of receiving and identification of the attributes the user does not approve of.

33. **(Withdrawn)** The method of claim 29, wherein the clothing combination selected by the user is a combination displayed in a magazine.

34. **(Withdrawn)** A system for selecting clothing comprising:

a wardrobe database that stores an identification of clothing owned by a user;

a rules database of rules for making clothing selection decisions; and

an inference engine that configured to receive a search request from the user, retrieve

rules from the rules database and select the identification of an article of clothing from the clothing database.

35. **(Withdrawn)** A computer-readable medium having computer-executable instructions for performing the steps of:

(a) receiving a query including characteristics of a first article of clothing, the identification of a user and a search request;

(b) accessing a set of rules associated with the user and for determining permissible clothing combinations;

(c) utilizing the rules and the characteristics of the first article of clothing to identify a second article of clothing that forms an appropriate clothing combination with the first article of clothing; and

(d) transmitting an identification of the second article of clothing.

36. The method of claim 1, further comprising:

(e) editing the set of rules based on an input from a user.

37. **(Withdrawn)** The method of claim 1, wherein the identification includes associated information selected from the group consisting of a product identification number, at least one attribute, a user identification, and a type of search.

38. **(Withdrawn)** The method of claim 1, wherein the identification of the second article of clothing is based on the set of rules and at least one characteristic of the first article of clothing.

39. The method of claim 1, wherein the tag is woven in the material of the first article of clothing.

40. The method of claim 1, further comprising:

(f) summing amounts of matching for associated attribute pairs for one of the clothing combinations;

(g) repeating (f) for another clothing combination; and

(h) in response to (f) and (g), determining the selected clothing combination.

41. The method of claim 1, further comprising:

(e) presenting, to a user, a plurality of search request types;

(f) obtaining, from the user, a selected search request type from the plurality of search request types; and

wherein (b) comprises:

(b)(i) determining the set of rules from the selected search request type.

EVIDENCE APPENDIX

-NONE-

RELATED PROCEEDINGS APPENDIX

-NONE-